

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-006143

06/11/2003

HONORABLE BRIAN R. HAUSER

CLERK OF THE COURT
M. Cearfoss
Deputy

FILED: 06/13/2003

STATE OF ARIZONA

MARIA Y ARMIJO
JEANNETTE GALLAGHER

v.

TONATIHU AGUILAR

ROBERT L STORRS
BRUCE E BLUMBERG

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
AGGRAVATION/PENALTY PHASE
DAY 9

State's Attorney:	Maria Armijo/Jeanette Gallagher
Defendant's Attorney:	Robert Storrs/Bruce Blumberg
Defendant:	Present
Court Reporter:	Melody O'Donnell

State's exhibit 66 is marked for identification.

10:50 a.m. Trial to jury continues from June 10, 2003.

The jury is present.

Det. George Sanchez, previously sworn, resumes the stand and testifies.

Det. Joe Petrosino, previously sworn in this case and advised by the Court that he is still under oath, resumes the stand and testifies.

State's exhibits 42, 43, 44, 45 and 46 are received in evidence.

State's exhibits 54, 55, 56, 57 and 58 are received in evidence.

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12:00 p.m. Court stands at recess.

State's exhibit 67 is marked for identification.

1:35 p.m. Respective counsel and Defendant are present. The jury is not present.

Court Reporter: Melody O'Donnell

The Court finds that the Defendant's statements to Det. Maldonado as a juvenile were taken in violation of *Miranda* and cannot be used.

Michael Brad Bayless is sworn and testifies.

The Court finds that the probative value is not substantially outweighed by the danger of unfair prejudice under Rule 403 and Dr. Bayless is permitted to testify as to the Defendant's statement.

2:05 p.m. The jury is present.

Det. Joe Petrosino resumes the stand and testifies.

Dr. Michael Brad Bayless is sworn and testifies.

Let the record reflect that the witness makes an in-court identification of the Defendant.

3:00 p.m. Court stands at recess.

3:25 p.m. Court reconvenes with respective counsel and the Defendant present. The jury is all present.

Court Reporter: Melody O'Donnell

Dr. Bayless resumes the stand and testifies.

4:30 p.m. Court stands at recess until 10:00 a.m., June 12, 2003.